

**RULES
OF
THE BOARD OF REGENTS
OF THE
STATE UNIVERSITY AND COMMUNITY COLLEGE SYSTEM OF TENNESSEE
INSTITUTIONAL STUDENT DISCIPLINARY RULES**

**CHAPTER 0240-3-13
ROANE STATE COMMUNITY COLLEGE
STUDENT DISCIPLINARY RULES**

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0240-3-13-.01 INSTITUTION POLICY STATEMENT

- (1) College students are citizens of the State, local and national governments, and of the academic community and are, therefore, expected to conduct themselves as law-abiding members of each community at all times. Admission to an institution of higher education carries with it special privileges and imposes special responsibilities apart from those rights and duties enjoyed by non-students. In recognition of the special relationship that exists between the institution and the academic community which it seeks to serve, the Tennessee Board of Regents has authorized the President of the College to take such action as may be necessary to maintain Campus conditions and preserve the integrity of the institution and its educational environment.
- (2) Pursuant to this authorization, the College has developed the following regulations which are intended to govern student conduct on the campus. In addition, students are subject to all national, state and local laws and ordinances , If a student's violation of such laws or ordinances also adversely affects the institution's pursuit of its educational objectives, the institution may enforce its own regulations regardless of any proceedings instituted by other authorities. Conversely, violation of any section of these Regulations may subject a student to disciplinary measures by the institution whether or not such conduct is simultaneously violative of state, local or national laws.
- (3) Having voluntarily enrolled as students at Roane State Community College and assuming a place in the College community, all students are presumed to be knowledgeable of, and to have agreed to abide by, the rules and regulations set forth in the Student Code of Conduct.

Authority: T.C.A. §49-8-203. **Administrative History:** Repeal of all rules by Public Chapter 261; effective July 1, 1983. New rule filed April 28, 1983; effective July 13, 1983. Amendment filed July 14, 1992; effective October 28, 1992. Amendment filed May 18, 1994; effective September 28, 1994. Amendment filed August 8, 1995; effective December 29, 1995.

0240-3-13-.02 DISCIPLINARY OFFENSES.

- (1) Generally, through appropriate due process procedures, institutional disciplinary measures shall be imposed for conduct which adversely affects the institution's pursuit of its educational objectives, which violates or shows a disregard for the rights of other members of the academic community, or which endangers property or persons on institution or institution-controlled property.
- (2) Individual or organizational misconduct which is subject to disciplinary sanction shall include, but not be limited to, the following examples:

(Rule 0240-3-13-.02, continued)

- (a) Conduct dangerous to others. Any conduct which constitutes a serious danger to any person's health, safety or personal well-being, including any physical abuse or immediate threat of abuse;
- (b) Hazing. Hazing means any intentional or reckless act in Tennessee on or off the property of any higher education institution by one (1) student acting alone or with others which is directed against any other student, that endangers the mental or physical health or safety of that student, or which induces or coerces a student to endanger such student's mental or physical health or safety. Hazing does not include customary athletic events or similar contests or competitions, and is limited to those actions taken and situations created in connection with initiation into or affiliation with any organization.
- (c) Disorderly conduct. Any individual or group behavior which is abusive, obscene, lewd, indecent, violent, excessively noisy, disorderly, or which unreasonably disturbs other groups or individuals.
- (d) Obstruction of or interference with institutional activities or facilities. Any intentional interference with or obstruction of any institutional activity, program, event or facilities, including the following:
 - 1. Any unauthorized occupancy of institution or institutionally controlled facilities or blockage of access to or from such facilities.
 - 2. Interference with the right of any institution member or other authorized person to gain access to any institution or institutionally controlled activity, program, event or facilities.
 - 3. Any obstruction or delay of a campus security officer, firefighter, or any institution official in the performance of his/her duty.
- (e) Misuse of or damage to property. Any act of misuse, vandalism, malicious or unwarranted damage or destruction, defacing, disfiguring or unauthorized use of property belonging to the institution including, but not limited to, fire alarms, fire equipment, elevators, telephone, institution keys, library materials and/or safety devices; and any such act against a member of the institution community or a Guest of the institution;
- (f) Theft misappropriation, or unauthorized sale. Any act of theft misappropriation, or unauthorized possession or sale of institution property or any such act against a member of the institution community or a guest of the institution;
- (g) Misuse of documents or identification cards. Any forgery, alteration of or unauthorized use of institution documents, forms, records or identification cards, including the giving of any false information, or withholding of necessary information, in connection with a student's admission, enrollment or status in the institution;
- (h) Firearms and other dangerous weapons. Possession of or use of firearms or dangerous weapons of any kind is prohibited;
- (i) Explosives, fireworks, and flammable materials. The unauthorized possession, ignition or detonation of any object or article which would cause damage by fire or other means to persons or property or possession of any substance which could be considered to be and used as fireworks;
- (j) Alcoholic beverages. The use, possession, distribution, sale or manufacture of alcoholic beverages, or public intoxication on property owned or controlled by the institution (Roane

(Rule 0240-3-13-.02, continued)

State Community College); at an institution sponsored event; on property owned or controlled by an affiliated clinical site is prohibited. This includes any violation of any term of the Roane State Community College Drug Free Schools and Communities Policy Statement (RSCC Policy No. GA-21-03). Communities Act of 1989 is distributed to each student annually.

- (k) **Drugs.** The unlawful use, possession, distribution, sale or manufacture, of any drug or controlled substance (including any stimulant, depressant, narcotic, or hallucinogenic drug or substance, or marijuana), being under the influence of any drug or controlled substance, or the misuse of legally prescribed or “over the counter” drugs on property owned or controlled by the institution; at an institution sponsored event, on property owned or controlled by an affiliated clinical site is prohibited. This included any violation of any term of the Roane State Community College Drug Free Schools Communities Policy Statement (RSCC Policy No. GA-21-03). The Drug Free Schools and Communities Act of 1989 is distributed to each student annually.
- (l) **Gambling.** Gambling in any form is prohibited.
- (m) **Financial irresponsibility.** Failure to meet financial responsibilities to the institution promptly including, but not limited to, knowingly passing a worthless check or money order in payment to the institution or to a member of the institution community acting in an official capacity;
- (n) **Unacceptable conduct in hearings.** Any conduct at an institutional hearing involving contemptuous, disrespectful, or disorderly behavior, or the giving of false testimony or other evidence at any hearing;
- (o) **Failure to cooperate with institutional officials.** Failure to comply with directions of institutional officials acting in the performance of their duties;
- (p) **Violation of general rules and regulations.** Any violation of the general rules and regulations of the institution as published in an official institutional publication, including the intentional failure to perform any required action or the intentional performance of any prohibited action;
- (q) **Attempts and aiding and abetting the commission of offenses.** Any attempt to commit any of the foregoing offenses, or the aiding and abetting of the commission of any of the foregoing offenses (an “attempt” to commit an offense is defined as the intention to commit the offense coupled with the taking of some action toward its commission);
- (r) **Violations of state or federal laws.** Any violation of state or federal laws or regulations proscribing conduct or establishing offenses, which laws and regulations are incorporated herein by reference.
- (s) **Harassment.** Any form of harassment including, but not limited to, racial harassment, sexual harassment or stalking is prohibited.
- (t) **Computer misuse. Ethical and Responsible Use of Computer Resources.**
 - 1. **Scope**
 - (i) The policies and procedures outlined in the following document apply to all Roane State Community College Faculty, Staff, Students, Visitors, and Contractors. This policy applies to all academic, administrative, networking and microcomputer resources owned, leased or installed at all Roane State Community College locations.

(Rule 0240-3-13-.02, continued)

- (ii) In addition to the policies listed below, all users are subject to existing state and federal laws and regulations concerning the use of computers, email, and the Internet.
- 2. Policy
 - (i) The purpose of this policy is to define responsible and ethical behavior of Roane State Community College in order to preserve the availability and integrity of RSCC computing and technology resources. All files, records, and email stored on Roane State Community College computers and storage devices are the property of Roane State, the Tennessee Board of Regents, and the State of Tennessee. This policy allows for the support of investigations of complaints under existing policies pertaining to sexual harassment, honor code, and state and federal laws on privacy and computer abuse.
 - (ii) A summary of this policy will be displayed in a prominent location in all Roane State Community College computer labs.
- 3. Priorities
 - (i) Highest: Educational and administrative use.
 - (ii) Medium: Other uses directly and indirectly related to educational use, including access to the Internet and professional and personal communication.
 - (iii) Lowest: Recreational and entertainment use.
- 4. Rules of Use
 - (i) Computer facilities at Roane State Community College are available to all students, faculty, and staff. It is the responsibility of the Information Technology Division personnel to maintain a stable operational environment for all users and to provide security for all programs and files currently residing on available computer systems. Cooperation of all users in the form of ethical and responsible behavior is required at all times so that all may share resources freely and equitably.
 - (ii) The following College rules and regulations are to define all users' limitations. These rules are separate and apart from the Code of Conduct as approved by the Tennessee Board of Regents. Any violations shall be termed "computer misuse," and the offender shall be referred to the appropriate college supervisor, or in the case of students, to the Dean of Student Services and Multicultural Affairs.
 - (I) Computer account and job number may not be used by anyone other than the applicant(s) and for any purpose other than that agreed upon with the Director of Computer Services.
 - (II) An individual may not access or copy the programs or data belonging to other individuals or to RSCC without permission.
 - (III) A user may not attempt to learn the password of any other user and may not attempt to alter or destroy the files belonging to others.

(Rule 0240-3-13-.02, continued)

- (IV) Programs and data files stored at RSCC may not be taken to other sites without authorization from the Director of Computer Services.
- (V) An individual may not tamper with or change any switch settings or software settings on any devices located in Roane State Community College computer labs without approval from an instructor or Computer Center technical support staff.
- (VI) A user may not monopolize any available resource to the extent of denying others fair use. Any non-productive use of the computer should not impede the use of terminals or microcomputers by others who have need for more valid use such as class assignments.
- (VII) A user may not store games or game-related programs in any account on a Roane State Community College microcomputer.
- (VIII) A user may not allow anyone to use his or her account or use the account of another. Your username and password identifies you to the entire Roane State Community College network. If another person uses your account, with or without your permission, they will be acting in your name. You may be held responsible for that person's actions should they violate policies or the law. If someone offers you the use of an account you are not authorized to use, decline. If you discover someone's password, please report it to the owner or to the Help Desk.
- (IX) A user may not create or use programs or electronic devices that collect information about users on the network.
- (X) A user may not use Roane State Community College computers or systems to attack computers, networks or the Internet by launching viruses, worms, Trojan horses, mail bombs or other forms of attacks. Additionally, users may not attempt to access restricted portions of the operating system on the VAX or file servers, security software, or Administrative systems unless express permission from Information Technology is granted.
- (XI) Users may not use the Roane State Community College computer network or telecommunication device to send comments, requests, suggestions, proposals, images or other communications which are obscene, lewd, lascivious, filthy, or indecent, with the intent to annoy, abuse, threaten, or harass another person. (Under certain circumstances, the Federal Communications Decency Act of 1996 may apply.)
- (XII) A user must abide by applicable copyright laws and licenses. College policies and state and federal law forbid the copying of software that has not been placed in the public domain and distributed as "freeware." Shareware users are expected to abide by the requirements of the shareware agreement. Shareware and freeware may be downloaded for evaluation by faculty and staff but must be removed at the end of the evaluation period if not purchased. Students may download shareware and freeware and copy to a removable storage medium (floppy disk, Zip disk).
- (XIII) Users may not install software on Roane State Community College hardware without permission from Information Technology.

(Rule 0240-3-13-.02, continued)

5. Digital Millennium Copyright Act of 1998

- (i) Title II of the Digital Millennium Copyright Act of 1998 is designed to provide protection for institutions acting as a service provider (public Web site) if copyright infringement occurs without its knowledge. If the institution merely acts as a conduit for the copyrighted material it will not be held liable if, (1) it exerts no editorial control, (2) does not originate the transmission or choose the recipient, and (3) does not make the copyrighted material available to others besides the intended recipient. The Act further provides that institutions of higher education are not liable for infringing acts by faculty or graduate students if:
 - (I) The faculty or graduate student's activities do not involve online access (including email) to materials that were the employee at the institution.
 - (II) The institution has not received more than two notices of actionable infringement by the faculty or graduate student.
 - (III) The institution provided all users of its system or networks the informational materials on compliance with U. S. copyright laws.
- (ii) In accordance with the provisions of Title II of the Act, Roane State Community College will designate and register an agent with the Register of Copyright. The name, address, phone number and email address of the agent will be listed publicly on the opening page of the Roane State Community College website.
- (iii) Upon notification of an infringement in accordance with "Online Copyright Infringement Liability Limitation Act," Section 202, Subparagraph (3) "Elements of Notification," Roane State Community College will immediately remove the offending material.
 - (I) The owner of the page containing the infringing material will be notified and advised that the material has been removed or disabled. If the user believes that the material has been erroneously identified as infringing, the user may submit a counter-notice to the complaining party or authorized representative and a copy to the institution's designated agent. The counter-notice must contain the information outlined in (3) "Contents of Counter Notification" of the Act. It must include the following information:
 - I A physical or electronic signature of the user.
 - II Identification of the material that has been removed or to which access has been blocked and the location at which the material appeared before being blocked or removed.
 - III A statement that the user has a good faith belief that the material was removed or disabled as a result of mistake or misidentification of the material to be removed or disabled.
 - IV The user's name, address, telephone number and a statement that the subscriber consents to the jurisdiction of Federal District Court for the judicial district in which the address is located and that the user will accept service of process from the person who provided notification of infringement.

(Rule 0240-3-13-.02, continued)

- (II) If no response to the counter-notice is received within fourteen (14) business days, Roane State Community College will immediately restore or cease disabling the material.

6. Access to Potentially Offensive Material

- (i) Faculty, staff and students at Roane State Community College are able to access information via electronic means from a wide range of sources including the Internet and the World Wide Web. Information in the form of text, graphics, images, sounds and video is available for a variety of purposes: teaching, research, and entertainment. However, some of the material may be found particularly offensive if they are exposed to the material unwillingly. The following policy and guidelines are designated to maintain freedom of expression and sensitivity to others.
- (ii) Information accessible on the network may not be restricted through censorship. Censorship is not compatible with the goals of higher education. Freedom of expression is valued, supported, and protected at Roane State Community College.
 - (I) Users must not expose others to offensive or pornographic material by deliberate or careless acts. Individuals must not be unwittingly exposed to offensive material through careless or deliberate acts of others. Users should use discretion and courtesy when accessing these materials. Do not display these materials in a manner which creates a hostile or abusive work or study environment for others. Users should clear screens and printers of potentially offensive materials after access. Offensive material may not be forwarded to others who are unwilling participants. Recipients of unwanted offensive material should tell the offender to stop and report repeat violations to faculty or Information Technology personnel.
 - (II) Users may not under any circumstances save offensive or pornographic materials on Roane State Community College computers or load such material on "screensaver" software so that it displays on a monitor or screen.
 - (III) Users may not access illegal material. Illegal material, such as child pornography, from any source will not be tolerated or distributed within Roane State Community College community. Reports or complaints regarding access to this material will be referred to legal authorities.

7. Disposition of Violations

- (i) Computer misuse violation should be reported through the appropriate supervisory chain to Dean of Student Services and Multicultural Affairs, the Executive Director of Information Technology or the Dean of Human Resources.
 - (I) The Dean of Student Services and Multicultural Affairs will be responsible for student violations. In the case of threatening or offensive communications, the Dean of Student Services and Multicultural Affairs will notify Security to ensure student safety.
 - (II) The Dean of Human Resources will be responsible for staff and faculty violations.

(Rule 0240-3-13-.02, continued)

- (III) The Executive Director of Information Technology will assist the Dean of Student Services and Multicultural Affairs or Dean of Human Resources in collecting evidence of violations.
- (ii) The dispositions listed below (not an all-inclusive list) are options drawn from the sanctioned policy of the Tennessee Board of Regents' Code of Conduct.
 - (I) Revoking the individual's right to use the computer, either on a temporary or permanent basis.
 - (II) Probation
 - (III) Suspension
 - (IV) Expulsion
 - (V) Financial assessment for computer services
 - (VI) Legal prosecution. In the event that other college regulations are violated, additional penalties may be imposed.
 - (VII) Unauthorized use of the computer by an individual other than the college community may be adjudged a felony, and the individual may be liable to legal prosecution.
- (3) Disciplinary action may be taken against a student for violations of the foregoing Regulations which occur on property owned or controlled by the institution; at an institution sponsored event; on property owned or controlled by an affiliated clinical site, when the conduct impairs, interferes with or obstructs any institutional activity or the missions, processes and functions of the institution. In addition, disciplinary action may be taken on the basis of any conduct, on or off campus, which poses a substantial threat to persons or property within the institutional community. In cases where alcohol and drug violations occur, disciplinary action, as well as the decision whether to test for alcohol or drugs, will be processed through the office of the Dean of Student Services and Multicultural Affairs.
- (4) For the purposes of these Regulations, a "student" shall mean any person who is registered for study at the College for any academic period. A person shall be considered a student during any period which follows the end of an academic period which the student has completed until the last day for registration for the next succeeding regular academic period, and during any period while the student is under suspension from the institution.

Authority: T.C.A. §§49-7-123(a)(1), 49-8-203, and 49-8-205. **Administrative History:** Repeal of all Rules by Pubic Chapter 261; effective July 1, 1983. New rule filed April 28, 1983; effective July 13, 1983. Amendment filed August 8, 1995; effective December 29, 1995. Amendment filed July 3, 1996; effective November 28, 1996. Amendment filed November 20, 1996; effective March 28, 1997. Amendment filed November 26, 1997; effective March 30, 1998. Amendment filed February 18, 1999; effective June 28, 1999. Amendment filed January 11, 2002; effective May 31, 2002. Amendment filed October 8, 2003; effective February 27, 2004.

014-3-13-.03 ACADEMIC AND CLASSROOM MISCONDUCT.

- (1) The instructor has the primary responsibility for control over classroom behavior and maintenance of academic integrity, and can order the temporary removal or exclusion from the classroom of any student engaged in disruptive conduct or conduct violative of the general rules and regulations of the

(Rule 0240-3-13-.03, continued)

institution. Extended or permanent exclusion from the classroom or further disciplinary action can be effected only through appropriate procedures of the institution.

- (2) Plagiarism cheating, and other forms of academic dishonesty are prohibited. Students guilty of academic misconduct, either directly or indirectly through participation or assistance, are immediately responsible to the instructor of the class. In addition to other possible disciplinary sanctions which may be imposed through the regular institutional procedures as a result of academic misconduct, the instructor has the authority to assign an F or a zero for the exercise or examination, or to assign an F in the course.
- (3) If the student believes that he or she has been erroneously accused of academic misconduct, and if his or her final grade has been lowered as a result, the student may appeal the case through the office of the Dean of Student Services and Multicultural Affairs.

Authority: T.C.A. §49-8-203. **Administrative History:** Repeal of all rules by Public Chapter 261; effective July 1, 1983. New rule filed April 28, 1983; effective July 13, 1983. Amendment filed May 18, 1994; effective September 28, 1994. Amendment filed October 8, 2003; effective February 27, 2004.

0240-3-13-.04 DISCIPLINARY SANCTIONS.

- (1) Upon a determination that a student or organization has violated any of the rules, regulations, or disciplinary offense set forth in these Regulations, the following disciplinary sanction may be imposed, either singularly or in a combination, by the appropriate institution officials.
- (2) Definition of Sanctions.
 - (a) Restitution. A student who has committed an offense against property may be required to reimburse the institution or other owner for damage to or misappropriation of such property. Any such payment in restitution shall be limited to actual cost of repair or replacement.
 - (b) Warning. The appropriate institutional official may notify the student that continuation or repetition of specified conduct may be cause for other disciplinary action.
 - (c) Reprimand. A written reprimand, or censure, may be given any student or organization whose conduct violates any part of these Regulations. Such a reprimand does not restrict the student in any way, but does have important consequences. It signifies to the student that he or she is in effect being given another chance to conduct himself or herself as a proper member of the institution community, but that any further violation may result in more serious penalties.
 - (d) Restriction. A restriction upon a student's or organization's privileges for a period of time may be imposed. This restriction may include, for example, denial of the right to represent the institution in anyway, denial of use of facilities, parking privileges, participation in extracurricular activities or restriction of organizational privileges.
 - (e) Probation. Continued enrollment of a student on probation may be conditioned upon adherence to these Regulations. Any student placed on probation will be notified of such in writing and will also be notified of the terms and length of the probation. Probation may include restrictions upon the extracurricular activities of a student. Any conduct in violation of these Regulations while on probationary status may result in the imposition of a more serious disciplinary sanction.
 - (f) Suspension. If a student is suspended, he or she is separated from the institution for a stated period of time with conditions of readmission stated in the notice of suspension.

(Rule 0240-3-13-.04, continued)

- (g) **Expulsion.** Expulsion entails a permanent separation from the institution. The imposition of this sanction is a permanent bar to the student's readmission to the institution. A student expelled from the College may not enter the campus grounds for any reason without the permission of the office of the Dean of Student Services and Multicultural Affairs. A student expelled from the College will not receive a refund for maintenance or miscellaneous fees.
 - (h) **Interim or summary suspension.** Though as a general rule, the status of a student accused of violations of these Regulations should not be altered until a final determination has been made in regard to the charges against him, summary suspension may be imposed upon a finding by the appropriate institutional official that the continued presence of the accused on campus constitutes an immediate threat to the physical safety and well. being of the accused, or of any other member of the institution community or its guests, destruction of property, or substantial disruption of classroom or other campus activities. In any case of immediate suspension, the student shall be given an opportunity at the time of the decision or immediately thereafter to contest the suspension, and if there are disputed issues of fact or cause and effect, the student shall be provided a hearing on the suspension as-soon-as possible.
 - (i) **Counseling or Rehabilitation Treatment.** Counseling sessions with Roane State's counseling office personnel or outside sources may be recommended for students with varying psychological needs. In addition, violations of drug and alcohol rules will result in mandatory participation in, and satisfactory completion of, a drug or alcohol abuse program, or rehabilitation program.
- (3) The President of the College is authorized, at his or her discretion, to subsequently convert any sanction imposed to a lesser sanction or to rescind any previous sanction in appropriate cases.

Authority: T.C.A. §49-8-203. **Administrative History:** Repeal of all rules by Public Chapter 261; effective July 1, 1983. New rule filed April 28, 1983; effective July 13, 1983. Amendment filed July 14, 1992; effective October 28, 1992. Amendment filed November 26, 1997; effective March 30, 1998. Amendment filed January 11, 2002; effective May 31, 2002. Amendment filed October 8, 2003; effective February 27, 2004.

034-3-13-.05 DISCIPLINARY PROCEDURES.

- (1) **General Statement.**
 - (a) Roane State Community College recognizes that disciplinary proceedings should pay a secondary role to guidance and counseling and makes every effort to keep open the avenues of communication between students, faculty, and staff which provide for the transmittance of constructive ideas toward the solution of problems.
 - (b) However, whenever violations of standards of conduct occur, the institution may initiate judicial proceedings through the power vested in its Disciplinary Committee. In all cases, disciplinary action becomes a part of the student's permanent record, and proper procedural safeguards will be used to assure due process. Notification of disciplinary action is by a letter from the Dean of Student Services and Multicultural Affairs.
- (2) "Tennessee Uniform Administrative Procedures Act." All cases which may result in (1) suspension or expulsion of a student from the institution for disciplinary reasons, (i) assignment of a grade which results in the grade of "F" in a course for academic misconduct, or (iii) revocation of registration of a student organization during the term of the registration are subject to the contested case provisions of the "Tennessee Uniform Administrative Procedures Act" and shall be processed in accordance with the uniform contested case procedures adopted by the Board of Regents unless the student waives those procedures in writing and elects to have his or her case disposed of in accordance with College procedures established by these rules.

(Rule 0240-3-13-.05, continued)

(3) Due Process Procedures.

- (a) Due process is not a technical concept with a fixed content unrelated to time, place and circumstances. It is an elusive concept in that its exact boundaries are indefinable and its content varies according to specific facts. The nature of the right involved, the nature of the proceedings and the possible penalty are all considerations which must be taken into account. The very nature of due process negates any conception of inflexible procedures universally applicable to every imaginable situation. There is no requirement of a formal type judicial hearing. Any College procedure which is reasonably calculated to be fair to the accused and to lead to a reliable determination of the issues is acceptable.
- (b) The requirements of due process are flexible in different cases and will require different procedural safeguards. The nature of the hearing will vary depending upon the circumstances of the particular cases.
- (c) The following fundamental safeguards are required in every proceeding at Roane State Community College that may lead to a serious penalty:
 - 1. The student shall receive written notice of the specific charge against him, and the date and time of the hearing a minimum of three days prior to the hearing date. This charge shall be sufficiently precise as to enable the student to understand the grounds upon which the College seeks to impose a penalty against him and to enable him adequately to prepare any explanation or defense which may be available to him. The student may be accompanied by an advisor whose participation shall be limited to advising the student.
 - 2. The student shall be given an opportunity to respond to the evidence against him. He shall have an opportunity to present his position, make such admissions, denials, or explanations as he think appropriate and testify or present such other evidence as is available to him. The student has the right to call witnesses on his or her behalf and the right to confront witnesses against him. The technical rules of evidence normally followed in civil and criminal trials shall not apply.
 - 3. The decision of the Disciplinary Committee should be based upon the evidence presented at the hearing and a finding of guilt must be based upon substantial evidence.
 - 4. Cases of alleged sexual assault In cases involving alleged sexual assault, both the accuser and the accused shall be informed of the following:
 - (i) Both the accuser and the accused are entitled to the same opportunity to have others present during a disciplinary proceeding; and
 - (ii) Both the accuser and the accused shall be informed of the outcome of any disciplinary proceeding involving allegations of sexual assault.

(4) Grounds for Appeal.

- (a) A decision or judgement of the Disciplinary Committee may be appealed by the aggrieved party upon the following grounds:
 - 1. Prejudicial error committed during the hearing whereby aggrieved was deprived of a fair hearing.

(Rule 0240-3-13-.05, continued)

2. Noncumulative material and relevant evidence new or newly discovered which with reasonable diligence could not have been produced at the hearing.
 3. The decision or judgement is not supported nor justified by the evidence.
- (b) A decision or judgment of the Disciplinary Committee may be appealed by the Dean of Student Services and Multicultural Affairs on the grounds that the penalty or sanction imposed was insufficient or excessive.
- (5) Notice of Appeal.
- (a) A Notice of Appeal shall be in writing and shall be filed with the President of the College, to whom the appeal is taken, within ten (10) calendar days from the promulgation and filing of the decision or judgement upon which the appeal is based. Failure to timely file the above mentioned notice shall constitute a waiver of any right to appeal.
 - (b) The President of the College will review the case and render a decision based upon his findings.

Authority: T.C.A. §49-8-203. **Administrative History:** Repeal of rule by Public Chapter 261; effective July 1, 1983. New rule filed April 28, 1983; effective July 13, 1983. Amendment filed November 3, 1989; effective February 28, 1990. Amendment filed April 23, 1993; effective July 28, 1993. Amendment filed May 19, 1994; effective September 28, 1994. Amendment filed August 8, 1995; effective December 29, 1995. Amendment filed November 26, 1997; effective March 30, 1998. Amendment filed January 11, 2002; effective May 31, 2002. Amendment filed October 8, 2003; effective February 27, 2004.

0240-3-13-.06 TRAFFIC AND PARKING REGULATIONS.

- (1) Registration
 - (a) All vehicles parked or operated by any person in connection with their employment or attending classes at the College must be registered with the office of the Dean of Student Services and Multicultural Affairs.
 - (b) Each student who registers for classes will be assessed a campus access fee each semester. Decals and I.D. cards may be picked up at each off-campus site.
 - (c) Expired campus registration decals must be removed. Current campus registration decals must be hung from the rear view mirror. Forgetting to hang the decal will not be a valid excuse for appeal of a citation.
 - (d) If you are unable to drive your own vehicle on a particular day, either leave an explanatory note on the dashboard (along with your decal number) to alert the security office or hang your decal in the car that you will be driving. In case of an emergency, temporary permits are available in the office of the Dean of Student Services and Multicultural Affairs.
- (2) Visitors
 - (a) Visitors are defined as persons not connected with the College, but who occasionally have business or other reasons to be on campus. Designated visitor space will be provided in the parking areas.
- (3) Parking

Regular parking on all College lots will be by permit only and only in designated areas.

(Rule 0240-3-13-.06, continued)

- (a) Student signs indicate spaces or areas reserved for students. Only students may park in these spaces or areas. No faculty or staff parking.
 - (b) Faculty signs indicate spaces or areas reserved for faculty and staff. Only faculty and staff may park in these spaces or areas. No student parking.
 - (c) Handicapped signs indicate spaces or areas reserved for handicapped faculty, staff, or students. Disabled students with a state issued disability placard for disabled parking should clearly display the placard when parking in a handicapped space. In addition, a regular Roane State decal is required. Students with a temporary disability must have a special handicapped parking permit from Counseling and Career Services to park in a handicapped space.
 - (d) Visitor signs indicate parking for visitors and no faculty, staff or student parking is permitted.
 - (e) Absolutely no parking at loading zones, on sidewalks, on streets, on lawn, within fifteen (15) feet of fire hydrants, behind the gym or in any reserved parking area.
- (4) Enforcement
 - (a) Student violation citations must be paid in the Business Office or appealed through the SGA Traffic Appeals Board within seventy-two (72) hours (excluding Saturday, Sunday, and holidays) after issuance. Appeals will not be accepted after that time.
 - (b) Staff and visitor citations may be paid within seventy-two (72) hours by mail or in person in the Business Office.
- (5) Appeals
 - (a) The office of the Dean of Student Services and Multicultural Affairs handles all traffic appeals on the Roane County Campus; the Dean of the Oak Ridge Branch Campus handles traffic appeals in Oak Ridge. You must make appeal at the campus on which the citation was issued.
 - (b) Roane County Campus:
 - 1. Faculty and Staff may appeal a violation citation through the office of the Dean of Student Services and Multicultural Affairs.
 - 2. Students may appeal a violation citation by obtaining an appeals form from the office of the Dean of Student Services and Multicultural Affairs. The appeal will then be reviewed by the SGA Traffic Appeals Board and either approved or denied.
 - 3. Failure to appear at a scheduled meeting without notifying the SGA Traffic Appeals Board or the office of the Dean of Students and Multicultural Affairs will result in forfeiture of right of appeal.
 - (c) Oak Ridge Branch Campus
 - 1. Faculty and Staff may appeal a violation citation through the office of the Dean of the Oak Ridge Branch Campus.
 - 2. Students may appeal a violation citation by obtaining an appeals form from the office of the Dean of the Oak Ridge Branch Campus. The appeal will then be reviewed by the SGA Traffic Appeals Board and either approved or denied.

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3. Failure to appear at a scheduled meeting without notifying the SGA Traffic Appeals Board of the office of the Dean of the Oak Ridge Branch Campus will result in forfeiture of right of appeal.
- (d) Off Campus Sites
 1. All traffic appeals will be handled by the directors at those locations.
- (e) All appeals must be made within seventy-two (72) hours (except Saturday, Sunday, and holidays) after the date of issue. Failure to answer a citation within the seventy-two (72) hour period will result in forfeiture of right of appeal.
- (6) Driving Regulations
 - (a) The speed limit on all campuses is fifteen (15) mph.
 - (b) All traffic signs must be obeyed.
 - (c) Motorists must yield the right-of-way to pedestrians.
 - (d) All accidents involving injury to persons, damages to automobiles, equipment, etc. must be reported to the Superintendent of Maintenance and Security.
- (7) Penalties
 - (a)

No decal displayed	\$20.00
Illegal use of decal	20.00
Improper display of decal	20.00
Parked in unauthorized area	20.00
Double parked	20.00
Improper motorcycle parking	20.00
Wrong way on one-way street	20.00
Parked in handicapped area	\$100.00
 - (b) Disabled parking fines are \$100.00 as set by the State. The prevailing fines as established by the College range from \$10.00 to \$30.00. These fines are set during the College's annual budget cycles, and are submitted for approval at the June Tennessee Board of Regents meeting each year. Specific penalties for traffic and parking violations can be found in the RSCC catalog. Student Handbook/Calendar, and parking brochure attached to every decal issued. They can also be found in the RSCC Policy Manual (GA-1901). These publications are available to relevant RSCC locations.
 - (c) These fines shall be paid to the Business Office.
 - (d) Parking privileges for the remainder of the school year will be revoked for anyone who receives more than four (4) parking violation citations within the academic year.
 - (e) Students who persist in violating these regulations or commit a single violation under extreme circumstances will be referred to the Dean of Student Services and Multicultural Affairs for disciplinary action which may lead to suspension or dismissal from the College.

Authority: T.C.A. §49-8-203. **Administrative History:** New rule filed August 28, 1984; effective November 13, 1984. Amendment filed November 3, 1989; effective February 28, 1990. Amendment filed April 23, 1993; effective

July 28, 1993. Amendment filed May 18, 1994; effective September 28, 1994. Amendment filed August 8, 1995; effective December 29, 1995. Amendment filed November 26, 1997; effective March 30, 1998. Amendment filed October 8, 2003; effective February 27, 2004.

0240-3-13-.07 REGISTRATION OF MOTOR VEHICLES.

- (1) All vehicles parked or operated by any person in connection with their employment or attendance of classes at the College must be registered with the Office of the Dean of Student Services.
- (2) Vehicle registration must be renewed at the beginning of each fall semester and will be valid until the beginning of the following fall semester so long as the registrant remain a student or a college employee.
- (3) Expired campus registration decals must be removed. Current campus registration decals are to be affixed as indicated on the instruction sheet attached to the decal.
- (4) The person to whom the vehicle is registered is responsible for the vehicle and all violations and citations issued thereto. If the person operating the vehicle is other than the registrant, and a violation is committed, both he/she and the registrant may be fined.
- (5) Each student who registers for classes at Roane State will be assessed a campus access fee each semester.
- (6) Faculty and staff will be assessed an annual campus access fee. Persons who are employed spring semester or after will be assessed a campus access fee of a lesser amount.
- (7) All faculty, staff, and students who pay the campus access fee will be given a parking decal. Additional decals will be available at minimal cost. The decal(s) issued will be valid from August through August of the following year.
- (8) In case of emergency, temporary permits are available in the office of the Dean of Student Services at no cost.
- (9) Disabled students with a state issued disability placard for disabled parking should clearly display the placard when parking in a disabled space. In addition, a regular Roane State decal is required. Students with a temporary disability must have a special disabled parking permit from the Director of Health Services to park in a disabled space.

Authority: T.C.A. §49-8-203. **Administrative History:** New rule filed August 28, 1984; effective November 13, 1984. Amendment filed November 3, 1989; effective February 28, 1990. Amendment filed July 14, 1992; effective October 28, 1992. Amendment filed April 23, 1993; effective July 28, 1993. Amendment filed May 18, 1994; effective September 28, 1994. Amendment filed August 8, 1995; effective December 29, 1995.